# महाराष्ट्र शासन

<u>अतितात्काळ</u>

क्र. राआधो- ४०१९/प्र.क्र.३१/१६-अ
सामान्य प्रशासन विभाग,
हुतात्मा राजगुरु चौक, मादाम कामा रोड,
मंत्रालय, मुंबई-४०० ०३२.
दिनांक : २० मार्च, २०१९.

**प्रति,**

सर्व विभागीय आयुक्त/ जिल्हाधिकारी/ सर्व निवासी उपजिल्हाधिकारी/
सर्व तालुका दंडाधिकारी तथा तहसिलदार.

**विषय :-** केंद्र शासनामधील नागरी सेवा व पदे यामध्ये सरळसेवा प्रवेशासाठी आर्थिकदृष्टया दुर्बल घटकासाठी विहित करण्यात आलेल्या आरक्षणाचा लाभ घेण्याकरिता उत्पन्न व मत्ता याचे प्रमाणपत्र देण्याबाबत.

**संदर्भ :-** 1) Office Memorandum F. No.20013/01/2018-BC-II, dated 17.01.2019 of Ministry of Social Justice & Empowerment, Department of Social Justice & Empowerment.

**2)** Office Memorandum F.No .36039/1/2019-Estt(Res) dated 19.01.2019 of Ministry of Personnel, Public Grievances & Pensions, Department of Personnel And Training .

**3)** Office Memorandum No.36039/1/2019-Estt(Res) dated .31.01.2019 of Ministry of Personnel, Public Grievances & Pensions, Department of Personnel And Training.

**महोदय/महोदया,**

संसदेने १०३ व्या घटनादुरुस्तीन्वये केलेल्या सुधारणा विचारात घेऊन केंद्र शासनाच्या सामाजिक न्याय व अधिकारिता विभागाने संदर्भाधीन अनुक्रमांक १ येथील आदेशानुसार समाजातील आर्थिकदृष्टया दुर्बल घटकासाठी केंद्र शासनामधील नागरी सेवा व पदे यामध्ये सरळसेवा प्रवेशासाठी व शैक्षणिक संस्थांमधील प्रवेशाकरिता १०% आरक्षण विहित करण्यात आलेले आहे. त्यानुसार केंद्र शासनाच्या कार्मिक व प्रशिक्षण विभागाने संदर्भाधिन अनुक्रमांक २ येथील आदेशानुसार समाजातील आर्थिकदृष्टया दुर्बल घटकासाठी केंद्र सरकार मधील नागरी सेवा व पदे यामध्ये सरळसेवा प्रवेशासाठी १०% आरक्षण विहित केलेले आहे.

२. तसेच केंद्र शासन यांच्या कार्मिक व प्रशिक्षण विभागाने संदर्भाधिन अनुक्रमांक ३ येथील आदेशानुसार केंद्र शासनामधील नागरी सेवा व पदे यामध्ये सरळसेवा प्रवेशासाठी आर्थिकदृष्टया दुर्बल घटकाला आरक्षणाचा लाभ घेण्यासाठी उत्पन्न व मत्ता याचे प्रमाणपत्राचा नमुना विहित केला आहे. (प्रत संलग्न)

३. सबब केंद्र शासनाने घोषित केल्यानुसार सक्षम प्राधिकाऱ्याने आर्थिकदृष्टया दुर्बल घटकाला आरक्षणाचा लाभ घेण्यासाठी विहित नमुन्यात आवश्यक प्रमाणपत्र तातडीने द्यावीत, जेणेकरुन उक्त आरक्षणाचा लाभ घेणे, सर्व पात्र नागरिकांना शक्य होईल.

४. तसेच सदर आरक्षणाचा लाभ आर्थिकदृष्टया सक्षम व्यक्तींनी घेऊ नये यास प्रतिबंध म्हणून सर्व आवश्यक निकषांची पूर्तता करीत असल्याची खात्री करुनच विहीत नमुन्यात प्रमाणपत्र अर्जदारांना देण्याची दक्षता घ्यावी.

सदर शासन पत्र महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आले असून त्याचा संकेताक २०१९०३२०१६४५२५९४०७ असा आहे. हे पत्र डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

**आपला,**

Udaysinh Gokulsinh Chouhan

Digitally signed by Udaysinh Gokulsinh Chouhan
DN: CN = Udaysinh Gokulsinh Chouhan, C = IN, S = Maharashtra, O = Government Of Maharashtra, OU = General Administration Department
Date: 2019.03.20 17:27:36 +05'30'

**( उदयसिंह चौहान )**

**कार्यासन अधिकारी, महाराष्ट्र शासन**

**प्रत :**

निवडनस्ती, कार्यासन-१६अ, सामान्य प्रशासन विभाग, मंत्रालय, मुंबई.

[For Internal Circulation only]

F. No.20013/01/2018-BC-II
Government of India
Ministry of Social Justice and Empowerment
Department of Social Justice and Empowerment

17th January, 2019
Shastri Bhawan, New Delhi

**OFFICE MEMORANDUM**

**Subject: Reservation for Economically Weaker Sections (EWSs) in civil posts and services in the Government of India and admission in Educational Institutions.**

In pursuance of insertion of clauses 15(6) and 16(6) in the Constitution vide the Constitution (One Hundred and Third Amendment) Act, 2019 and in order to enable the Economically Weaker Sections (EWSs) who are not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes, to receive the benefits of reservation on a preferential basis in civil posts and services in the Government of India and admission in Educational Institutions, it has been decided by the Government to provide 10% reservation to EWSs in civil posts and services in Government of India and admission in Educational Institutions.

2. Persons who are not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes and whose family has gross annual income below Rs. 8.00 lakh are to be identified as EWSs for the benefit of reservation. Family for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years. The income shall include income from all sources i.e. salary, agriculture, business, profession etc. and it will be income for the financial year prior to the year of application. Also persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWSs, irrespective of the family income:

i. 5 acres of Agricultural Land and above;
ii. Residential flat of 1000 sq. ft. and above;
iii. Residential plot of 100 sq. yards and above in notified municipalities;

iv. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

3. The income and assets of the families as mentioned in para 2 would be required to be certified by an officer not below the rank of Tehsildar in the States/UTs. The officer who issues the certificate would do the same after carefully verifying all relevant documents following due process as prescribed by the respective State/ UT.

4. Every Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats over and above its annual permitted strength in each branch of study or faculty so that the number of seats available, excluding those reserved for the persons belonging to the EWSs, are not less than the total seats available in the academic session immediately preceding the date of the coming into force of this O.M.

5. Instructions regarding reservation in employment and admission to educational institutions will be issued by DoPT and Ministry of HRD respectively.

(B.L. Meena)
Joint Secretary to the Government of India

To
1. The Secretary, Department of Personnel and Training, North Block, New Delhi
2. The Secretary, Department of Higher Education, Shastri Bhawan, New Delhi

F. No.36039/1/2019-Estt.(Res.)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
19th January, 2019

**OFFICE MEMORANDUM**

**Subject: Reservation for Economically Weaker Sections (EWSs) in civil posts and services in the Government of India**

Reference is invited to Ministry of Social Justice and Empowerment O.M. No. F.No.20013/01/2018-BC-II dated 17.1.2019 on the above mentioned subject, which, inter-alia, reads as under:-

*"1. In pursuance of insertion of clauses 15(6) and 16(6) in the Constitution vide the Constitution (One Hundred and Third Amendment) Act, 2019 and in order to enable the Economically Weaker Sections (EWSs) who are not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes, to receive the benefits of reservation on a preferential basis in civil posts and services in the Government of India and admission in Educational Institutions, it has been decided by the Government to provide 10% reservation to EWSs in civil posts and services in Government of India and admission in Educational Institutions.*

*2. Persons who are not covered under the existing scheme of reservations for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally Backward Classes and whose family has gross annual income below Rs. 8.00 lakh are to be identified as EWSs for the benefit of reservation. Family for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years. The income shall include income from all sources i.e. salary, agriculture, business, profession etc. and it will be income for the financial year prior to the year of application. Also persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWSs, irrespective of the family income:*

*i. 5 acres of Agricultural Land and above;*
*ii. Residential flat of 1000 sq. ft. and above;*
*iii. Residential plot of 100 sq. yards and above in notified municipalities;*
*iv. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.*

*3. The income and assets of the families as mentioned in para 2 would be required to be certified by an officer not below the rank of Tehsildar in the States/UTs. The officer who issues the certificate would do the same after*



Gyanendra Tripathi
19/1/2019

*carefully verifying all relevant documents following due process as prescribed by the respective State/ UT.*

.......

*5. Instructions regarding reservation in employment and admission to educational institutions will be issued by DOPT and Ministry of HRD respectively."*

2. In pursuance of the above Office Memorandum, it is hereby notified that 10% reservation would be provided for Economically Weaker Sections (EWSs) in central government posts and services and would be effective in respect of all Direct Recruitment vacancies to be notified on or after 01.02.2019.

3. Detailed Instructions regarding operation of roster and procedure for implementation of EWS reservation will be issued separately.

Gyanendra Tripathi 19/01/2019
( Gyanendra Dev Tripathi)
Joint Secretary to the Government of India

To

1. The Secretaries of all Ministries/Departments of the Government of India.
2. Department of Financial Services, New Delhi
3. Department of Public Enterprises, New Delhi
4. Railway Board, Ministry of Railways, Rail Bhavan, New Delhi
5. Secretary, Ministry of Human Resources Development, Shastri Bhavan, New Delhi.
6. Supreme Court of India/Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice President's Secretariat /Prime Minister's Office/ NITI Aayog
7. Union Public Service Commission / Staff Selection Commission
8. Secretary, Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi
9. National Commission for Scheduled Castes, Lok Nayak Bhawan, New Delhi
10. National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi
11. National Commission for Backward Classes, Trikoot-1, Bhikaji Cama Place, R.K. Puram, New Delhi
12. Office of the Comptroller and Auditor General of India
13. Information and Facilitation Center, DoPT, North Block, New Delhi.
14. Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi 110067
15. **NIC, DoPT – to upload the same on DoPT website.**
16. Hindi Section for providing a Hindi translation

**No.36039/1/2019-Estt (Res)**
**Government of India**
**Ministry of Personnel, Public Grievances & Pensions**
**Department of Personnel & Training**

North Block, New Delhi
dated the 31st January, 2019

**OFFICE MEMORANDUM**

**Subject: Reservation for Economically Weaker Sections (EWSs) in direct recruitment in civil posts and services in the Government of India.**

In continuation of this Department's Office Memorandum of even number dated 19.01.2019, the following instructions are issued in consultation with Ministry of Social Justice and Empowerment and Department of Legal Affairs regarding reservation for EWSs not covered under the reservation scheme for SCs/STs/OBCs in respect of direct recruitment in civil posts and services in the Government of India.

## 2. QUANTUM OF RESERVATION

The persons belonging to EWSs who are not covered under the scheme of reservation for SCs, STs and OBCs shall get 10% reservation in direct recruitment in civil posts and services in the Government of India.

## 3. EXEMPTION FROM RESERVATION:

3.1 "Scientific and Technical" posts which satisfy all the following conditions can be exempted from the purview of the reservation orders by the Ministries/ Departments:

(i) The posts should be in grades above the lowest grade in Group A of the service concerned.

(ii) They should be classified as "scientific or technical" in terms of Cabinet Secretariat [OM No. 85/11/CF-61(1) dated 28.12.1961], according to which scientific and technical posts for which qualifications in the natural sciences or exact sciences or applied sciences or in technology are prescribed and the incumbents of which have to use that knowledge in the discharge of their duties.

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(iii) The posts should be 'for conducting research' or 'for organizing, guiding and directing research'.

3.2 Orders of the Minister concerned should be obtained before exempting any posts satisfying the above condition from the purview of the scheme of reservation.

## 4. CRITERIA OF INCOME & ASSETS:

4.1 Persons who are not covered under the scheme of reservation for SCs, STs and OBCs and whose family has gross annual income below **Rs. 8.00 lakh (Rupees eight lakh only)** are to be identified as EWSs for benefit of reservation. Income shall also include income from all sources i.e. salary, agriculture, business, profession, etc. for the financial year prior to the year of application.

Also persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS, irrespective of the family income:-

i. 5 acres of agricultural land and above;
ii. Residential flat of 1000 sq. ft. and above;
iii. Residential plot of 100 sq. yards and above in notified municipalities;
iv. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

4.2. The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land or property holding test to determine EWS status.

4.3 The term **"Family"** for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

## 5. INCOME AND ASSET CERTIFICATE ISSUING AUTHORITY AND VERIFICATION OF CERTIFICATE:

5.1 The benefit of reservation under EWS can be availed upon production of an Income and Asset Certificate issued by a Competent Authority. The Income and Asset Certificate issued by any one of the following authorities in the prescribed format as given in **Annexure-I** shall only be accepted as proof of candidate's claim as belonging to EWS: -

(i) District Magistrate/Additional District Magistrate/ Collector/ Deputy Commissioner/Additional Deputy Commissioner/1st Class Stipendary

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Magistrate/ Sub-Divisional Magistrate/ Taluka Magistrate/ Executive Magistrate/ Extra Assistant Commissioner

(ii) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/ Presidency Magistrate

(iii) Revenue Officer not below the rank of Tehsildar and

(iv) Sub-Divisional Officer or the area where the candidate and/or his family normally resides.

5.2 The Officer who issues the certificate would do the same after carefully verifying all relevant documents following due process as prescribed by the respective State/UT.

5.3 The crucial date for submitting income and asset certificate by the candidate may be treated as the closing date for receipt of application for the post, except in cases where crucial date is fixed otherwise.

5.4 The appointing authorities should, in the offer of appointment to the candidates claiming to be belonging to EWS, include the following clause :-

*"The appointment is provisional and is subject to the Income and asset certificate being verified through the proper channels and if the verification reveals that the claim to belong to EWS is fake/false the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of fake/false certificate."*

The appointing authority should verify the veracity of the Income and asset certificate submitted by the candidate through the certificate issuing authority.

5.5 Instructions referred to above should be strictly followed so that it may not be possible for an unscrupulous person to secure employment on the basis of a false claim and if any person gets an appointment on the basis of such false claim, her/his services shall be terminated invoking the conditions contained in the offer of appointment.

## 6. <u>EFFECTING RESERVATION - MAINTENANCE OF ROSTERS:</u>

6.1 Department of Personnel and Training had circulated Office Memorandum No.36012/2/96-Estt(Res) dated July 2, 1997 regarding implementation of post based reservation roster. The general principles for making and operating post

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based reservation roster would be as per the principles laid down in the said Office Memorandum.

6.2 Every Government establishment shall now recast group-wise post-based reservation roster register for direct recruitment in accordance with format given in **Annexure II, III, IV and V,** as the case may be, for effecting 10% reservation for EWSs interpolating them with the SCs, STs and OBCs. While fixing roster point, if the EWS roster point coincides with the roster points of SCs/STs/OBCs the next available UR roster point has been allotted to the EWSs and also the principle of "squeezing" has been kept in view. While drawing up the rosters, the cadre controlling authorities may similarly "squeeze" the last points of the roster so as to meet prescribed 10% reservation.

6.3 Where in any recruitment year any vacancy earmarked for EWS cannot be filled up due to non availability of a suitable candidate belonging to EWS, such vacancies for that particular recruitment year shall not be carried forward to the next recruitment year as backlog.

6.4 Persons belonging to EWS selected against the quota for persons with benchmark disabilities/ex-servicemen shall be placed against the roster points earmarked for EWS.

7. **ADJUSTMENT AGAINST UNRESERVED VACANCIES:**

A person belonging to EWS cannot be denied the right to compete for appointment against an unreserved vacancy. Persons belonging to EWS who are selected on the basis of merit and not on account of reservation are not to be counted towards the quota meant for reservation.

8. **FORTNIGHTLY/ANNUAL REPORTS REGARDING REPRESENTATION OF EWS:**

The Ministries/Departments shall send single consolidated fortnightly report including their attached/subordinate offices beginning from 15.2.2019 as per format at **Annexure-VI.**

From 01.01.2020, the Ministries/Departments shall upload data on representation of EWSs in respect of posts/services under the Central Government on the URL i.e. www.rrcps.nic.in as on 1st January of every year. All Ministries/Departments have already been provided respective usercode and password with guidelines for operating the URL.

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**9. MAINTENANCE OF REGISTER OF COMPLAINTS BY THE GOVERNMENT ESTABLISHMENT:**

9.1 Every Government establishment shall appoint a senior officer of the Department as the Grievance Redressal Officer.

9.2 Any person aggrieved with any matter relating to discrimination in employment against any EWS may file a complaint with the Grievance Redressal Officer of the respective Government establishment. The name, designation and contact details of the Grievance Redressal Officer may be displayed prominently on the website and in the office of the concerned establishment.

**10. LIAISON OFFICER:**

Ministries/Departments/Attached and Subordinate Offices shall appoint Liaison Officer to monitor the implementation of reservation for EWSs.

11. The above scheme of reservation will be effective in respect of all direct recruitment vacancies to be notified on or after 01.02.2019.

12. All the Ministries/Departments are requested to bring the above instructions to the notice of all appointing authorities under their control. In case of any difficulty with regard to implementation of the provisions of this OM, the concerned authorities may consult DOP&T through their administrative Ministry/Department.

**Encl.: As above.**

(G. Srinivasan)
Director
Ph.No.011-23093074

To

(i) The Secretaries of all Ministries/Departments of the Govt. of India
(ii) Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi
(iii) Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi
(iv) Railway Board, Rail Bhavan, Delhi.

(v) Supreme Court of India/ Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/ Prime Minister's Office/NITI Aayog
(vi) Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi
(vii) Staff Selection Commission, CGO Complex, Lodi Road, New Delhi
(viii) The Secretary, Department of Social Justice and Empowerment, Shastri Bavan, New Delhi
(ix) National Commission for Scheduled Castes, Lok Nayak Bhavan, New Delhi
(x) National Commission for Scheduled Tribes, Lok Nayak Bhavan, New Delhi.
(xi) National Commission for Backward Classes, Trikoot, Bhikaji Cama Place, R.K. Puram, New Delhi.
(xii) Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
(xiii) Information and Facilitation Centre, DOPT, North Block, New Delhi.
(xiv) Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi-110067.
(xv) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.

**Copy to: Director, NIC, DOPT - with the request to immediately place this OM on the website of this Department (what's new tab) for information of all concerned.**

G. Srinivasan

**Annexure-I**

**Government of .............**
**(Name & Address of the authority issuing the certificate)**

**INCOME & ASSET CERTIFICATE TO BE PRODUCED BY ECONOMICALLY WEAKER SECTIONS**

**Certificate No.** __________ **Date:** ___________________

**VALID FOR THE YEAR**__________

This is to certify that Shri/Smt./Kumari ____________________ son/daughter/wife of ________________________ permanent resident of ____________________, Village/Street ______________ Post Office ____________ District__________ in the State/Union Territory ______________ Pin Code__________ whose photograph is attested below belongs to Economically Weaker Sections, since the gross annual income* of his/her 'family'** is below Rs. 8 lakh (Rupees Eight Lakh only) for the financial year ________. His/her family does not own or possess any of the following assets*** :

I. 5 acres of agricultural land and above;
II. Residential flat of 1000 sq. ft. and above;
III. Residential plot of 100 sq. yards and above in notified municipalities;
IV. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

2. Shri/Smt./Kumari ______________________ belongs to the ______ caste which is not recognized as a Scheduled Caste, Scheduled Tribe and Other Backward Classes (Central List)

Signature with seal of Office_____________
Name _____________________
Designation _______________

| Recent Passport size attested photograph of the applicant |
|---|

*Note1:. Income covered all sources i.e. salary, agriculture, business, profession, etc.

**Note 2:The term "Family" for this purpose include the person, who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years

***Note 3: The property held by a "Family" in different locations or different places/cities have been clubbed while applying the land or property holding test to determine EWS status.

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